

UNITED STATES DISTRICT COURT

OCT 21 2019

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Tomas LOPEZ-Garcia

YOB:1983

Citizen of Mexico

Case No.

19-19-2548-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 20, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. 554

did knowingly and willfully attempt to export or send from the United States, any merchandise, article, or object, to wit: 322 rounds of ammunition and two (02) 9mm pistol magazines, contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved by AUSA S. DIPIAZZA 10/21/19 7:54am

S. DiPiazza


Complainant's signature

Shane Petrosky, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence:

Date: 10/21/2019

8:08 am


*Judge's signature*City and state: McAllen, Texas

U.S. Magistrate Judge Peter E. Ormsby

Printed name and title

ATTACHMENT A

On October 20, 2019, U.S. Customs and Border Protection Officers (CBPOs) on the Anti-Terrorism and Contraband Enforcement Team referred a grey Honda CRV (hereinafter referred to as "Subject Vehicle") for an outbound inspection as the Subject Vehicle attempted to exit the United States into Mexico at the Hidalgo Port of Entry (Hidalgo POE) in Hidalgo, Texas. The driver of the Subject Vehicle was later identified as Tomas LOPEZ-Garcia.

At the outbound inspection area, LOPEZ-Garcia provided a CBPO with a negative customs declaration for weapons, ammunition, and currency exceeding \$10,000. During the outbound inspection, CBPOs discovered 322 rounds of ammunition (252 rounds of 9mm, 50 rounds of 25 auto, and 20 rounds of .222) and two (02) 9mm magazines (Glock and Mec-gar Para-Ordinance) concealed in a bag behind the driver's seat inside the Subject Vehicle.

During a subsequent interview by a Homeland Security Investigations (HSI) McAllen, Texas Special Agent and Customs and Border Protection Enforcement Officer, LOPEZ-Garcia stated he traveled from Mexico to the United States to procure the ammunition and magazines found within the Subject Vehicle and he intentionally procured them to transport back to Mexico.